



City of Santa Barbara
Mayor and Council Office

Memorandum

DATE: April 14, 2008

TO: Jim Armstrong, City Administrator

FROM: Councilmember Iya Falcone, Councilmember Helene Schneider
Councilmember Das Williams

SUBJECT: Interim Ordinance on Building Regulations

Pursuant to Council Resolution 05-073 regarding the Conduct of City Council Meetings, we request that an item be placed on the Santa Barbara City Council Agenda regarding an interim ordinance as it pertains to building regulations in the City's commercial zones.

- Summary of information to be presented:
A proposal to adopt an interim ordinance that would amend building regulations as they pertain to current height and setback requirements in commercial zones that allow residential uses until the end of the General Plan Update (GPU). Please refer to the attached draft ordinance for additional details.
- Statement of Specific Action:
Councilmembers Falcone, Schneider and Williams request the following topics to be discussed by the full Council in one agenda item, to be placed on the council agenda at the earliest possible time. The issues for discussion are:
 - Should the Council review and subsequently adopt an interim ordinance to the municipal code that would establish new height and setback requirements for new construction in commercial zones which allow residential uses until completion of the General Plan Update (GPU)?
 - Should this interim ordinance be used to provide a framework for new building regulations that would be developed as part of the General Plan Update?
 - Should the Council subsequently place new building regulations on the November 3, 2009 ballot as an amendment to the City Charter?
- Statement of the Reasons Why it is Appropriate and Within the Jurisdiction of the Council to Consider this Subject Matter and to Take the Requested Action:
This is appropriate to the City of Santa Barbara as it affects the residents of our city, especially as it relates to the General Plan Update process.

cc: Mayor and Council
City Attorney
Community Development Director

Interim Building Regulation Ordinance

Purpose and Intent.

- 1) To establish new height and setback requirements for new construction in commercial zones which allow residential uses until completion of the General Plan Update (GPU);
- 2) To provide a framework for new building regulations to be developed as part of the General Plan Update. The new building regulations shall be placed on the November 3, 2009 ballot as an amendment to the City Charter;
- 3) To encourage the provision of affordable and workplace housing that includes sufficient light and air.

Area of Applicability. This ordinance shall apply to all the commercial zones that allow residential uses.

Projects. These interim regulations shall not apply to the following projects:

- 1) Projects for which applications have been deemed complete by the City prior to May 15, 2008, or
- 2) Community Priority projects as defined in Charter Section 1508(e) (Measure E) and approved by the City Council.

Interim Regulations

- 1) **Open Space.** Open space shall be provided in all new development.
 - a) The required open space shall:
 - i) Be open to the sky with allowance for architectural projections of up to 30”;
 - ii) Be adjacent to the street or streets
 - iii) Be at grade
 - iv) Include: landscaping (e.g. trees), patios, and paseos.
 - b) The open space may be configured in any shape and shall be contiguous to the street frontage with a minimum depth of 4 feet and minimum width of 10 feet.
 - c) The required amount of open space is as follows:
 - i) 10% of the net lot area (not including adjacent streets, sidewalks and alleys) for mixed use projects
 - ii) 5% of the net lot area (not including adjacent streets, sidewalks, and alleys) for commercial projects
 - d) A parcel fronting on State Street between Cabrillo and Sola Streets or fronting on a cross street one block (east or west) of this section of State Street is exempt from the requirements of this Section.
- 2) **Maximum Floor Areas.** The maximum floor area on each level shall be as follows:
 - a) First and Second Story - Residential uses shall occupy no more than 80% of the net lot area.
 - b) Third Story – All structures shall occupy no more than 60% of the net lot area.
 - c) Fourth Story – All structures shall occupy no more than 45% of the net lot area
- 3) **Required Setbacks.** The third and fourth stories shall be setback an average of no less than five feet from the property line facing the public street.
- 4) **Height.** The following height regulations shall apply.
 - a) Maximum Height - The maximum building height shall be 40 feet. Towers, stairwells, and elevator shafts shall be considered architectural projections and shall not be subject to this height requirement. However, parapet walls within 10 feet of the front property line shall not exceed the 40 foot height limit.
 - b) Projects where at least 30% of the residential units are affordable to those earning up to 200% of the median income shall be allowed up to an additional 12 feet of height.
 - c) Height Measurement - Height shall be measured from the adjacent natural grade to top of the uppermost horizontal plate height of habitable space.